

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
JORGE MALDONADO-RODRIGUEZ	:	VIOLATIONS: 21 U.S.C. § 963
MELVIN BOJORQUEZ-LEMUS	:	(Conspiracy to import
MARIO ARMANDO CUELLAR	:	heroin - 1 count)
a/k/a "Axxel Rodriguez"	:	21 U.S.C. § 841(a)(1) and
	:	(b)(1)(A)
	:	(Possession of heroin with
	:	intent to distribute
	:	- 1 count)
	:	18 U.S.C. § 2
	:	(Aiding and abetting)
	:	21 U.S.C. § 853
	:	(Criminal Forfeiture)

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

Between on or about January 13, 2003 and on or about February 7, 2003, at Allentown, in the Eastern District of Pennsylvania, and elsewhere, defendants

JORGE MALDONADO-RODRIGUEZ
MELVIN BOJORQUEZ-LEMUS
MARIO ARMANDO CUELLAR,
a/k/a "Axxel Rodriguez"

conspired and agreed, together and with other persons known and unknown to the grand jury, to knowingly and intentionally import in excess of one kilogram, that is, approximately 2.3 kilograms, of a mixture or substance containing a detectable amount of heroin, a Schedule I

controlled substance, into the United States from a place outside thereof, that is Nicaragua, in violation of Title 21, United States Code, Sections 952, 960(a)(1), and 960(b)(1)(A).

MANNER AND MEANS

It was part of the conspiracy that

1. Defendant MELVIN BOJORQUEZ-LEMUS shipped approximately 2.3 kilograms of heroin, concealed within hammocks, by United Parcel Service (UPS) from Nicaragua, Central America, to Allentown, Pennsylvania, for distribution in New York City.
2. Defendant MARIO ARMANDO CUELLAR, using an alias “Axxel Rodriguez,” received the heroin in Allentown for transport to New York City for further distribution.
3. Defendant JORGE MALDONADO-RODRIGUEZ traveled from Colombia, South America, to New York City to receive the heroin from defendant MARIO ARMANDO CUELLAR for distribution in New York City.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, the following overt acts among others, were committed in the Eastern District of Pennsylvania and elsewhere:

1. On or about January 13, 2003, defendant JORGE MALDONADO-RODRIGUEZ traveled from Colombia, South America to New York City to receive heroin that would be smuggled into the United States from Central America.
2. On or about January 16, 2003, defendant MELVIN BOJORQUEZ-LEMUS traveled to the United States from Guatemala to meet with defendant MARIO

ARMANDO CUELLAR to arrange the smuggling of heroin into the United States through Allentown.

3. On or about January 30, 2003, defendant MELVIN BOJORQUEZ-LEMUS shipped by UPS approximately 2.3 kilograms of heroin from Nicaragua, concealed in hammocks, to defendant MARIO ARMANDO CUELLAR, using his alias "Axxel Rodriguez," in Allentown.

4. On or about February 4, 2003, defendant MARIO ARMANDO CUELLAR received at his residence in Allentown the UPS package containing the heroin shipped by defendant MELVIN BOJORQUEZ-LEMUS.

5. On or about February 5, 2003, defendant MARIO ARMANDO CUELLAR left his residence in Allentown with the heroin to transport the drugs to New York City.

6. On or about February 6, 2003, defendant MELVIN BOJORQUEZ-LEMUS traveled from Guatemala to Allentown to receive the heroin from defendant MARIO ARMANDO CUELLAR.

7. On or about February 7, 2003, defendant JORGE MALDONADO-RODRIGUEZ met with defendant MELVIN BOJORQUEZ-LEMUS in New York City to receive the heroin.

All in violation of Title 21, United States Code, Section 963.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

Between on or about February 4, 2003 and on or about February 6, 2003, at Allentown, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**JORGE MALDONADO-RODRIGUEZ
MELVIN BOJORQUEZ-LEMUS
MARIO ARMANDO CUELLAR,
a/k/a “Axxel Rodriguez”**

did knowingly and intentionally possess with intent to distribute of, and did aid and abet the possession with intent to distribute, in excess of one kilogram, that is, approximately 2.3 kilograms, of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A) and Title 18, United States Code, Section 2.

CRIMINAL FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violation of Title 21, United States Code, Sections 963 and 841 set forth in Counts One and Two of this Indictment, defendants

**JORGE MALDONADO-RODRIGUEZ
MELVIN BOJORQUEZ-LEMUS
MARIO ARMANDO CUELLAR,
a/k/a “Axxel Rodriguez”**

shall forfeit to the United States of America pursuant to Title 21, United States Code, Section 853, the following property:

(A) Any and all real and/or personal property which the defendants used in any manner or part to facilitate the commission of the violation of Title 21, United States Code as charged in Counts One and Two of this Indictment; and

(B) Any and all real and/or personal property which constitutes and/or is derived from proceeds obtained directly or indirectly as the result of the violation of Title 21, United States Code as charged in Counts One and Two of this Indictment.

2. If any of the property described above as being subject to forfeiture, as a result of any act or omission of defendants:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be divided
without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) to
seek forfeiture of any other property of said defendants.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney